

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF RHODE ISLAND, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

C.A. No.:

DECLARATION OF JAN BOIVIN

Pursuant to 28 U.S.C. § 1746, I, Jan Boivin, hereby declare as follows:

1. I am a resident of the State of Hawai'i. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am currently employed by Hawai'i Pacific Health (HPH).

3. HPH is anchored by four medical centers and has seventy locations statewide.

4. As Senior Vice President of Human Resources and Organizational Effectiveness, I oversee the labor relations functions of HPH.

5. I submit this declaration in connection with Executive Order 14,238, "Continuing the Reduction of the Federal Bureaucracy," which directed seven federal agencies, including the Federal Mediation and Conciliation Service (FMCS), to eliminate any non-statutory components and functions to the maximum extent consistent with applicable law, and to reduce the performance of any statutory functions and associate personnel to the minimum presence and function required by law.

6. FMCS has assisted HPH and two different labor unions with mediation in five contract negotiations since 2022 (two involving strikes) that culminated in four successful conclusions and one current ongoing mediation.

7. These matters include renegotiation of existing contracts that expire approximately every three years and concern wages, hours, and working conditions for employee bargaining unit members at certain HPH facilities.

8. FMCS expertise has assisted the parties in reaching agreements. Similarly, where there was an ongoing strike and/or lockout, FMCS was able to assist the parties in ending the dispute and resolving outstanding issues.

9. The services provided by FMCS in these matters include the provision of a mediator/neutral for the purpose of assisting the parties in resolving disputes when the parties have not been able to do so successfully on their own. For example, in September and October of 2024, after over a year of difficult negotiations with the nurses' union at Kapi'olani Medical Center for Women and Children that involved two different strikes and a twenty-two day lockout, the parties agreed to bring FMCS mediation into the talks. After five days of mediation, the parties reached a mediated agreement that brought employees back to work and concluded a very contentious and difficult collective bargaining process.

10. If the matter had not been resolved with the assistance of FMCS, employees may have remained out of work indefinitely with prolonged discord and strain to vital health care services for the people of Hawai'i.

11. FMCS services were provided at no cost to the parties. FMCS mediators have been able to organize and efficiently run a mediation process that effectively and timely focuses the parties on their interests beyond their respective positions to find a mutually acceptable resolution. Based on the importance and impact on health care services to the public, the timely resolution of these disputes is paramount in the interest of maintaining health care services to the community.

12. FMCS has also provided training on labor conflict management to HPH on at least four occasions for different facilities/employee groups. These FMCS training programs are presented to help resolve real-world day to day challenges of labor-management relations in the administration of the contracts negotiated between the parties.

I declare under penalty of perjury under the laws of the United States that, to the best of my knowledge, the foregoing is true and correct. Executed on March 25, 2025, at Honolulu, Hawai'i.



JAN BOIVIN

